

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4699 of 2016**

Sultana Wahida W/o Iqbal Ahmad, Aged About 44 Years R/o Ward No. 08 Dharsiwa
Tahsil And District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. State Health Resource Centre Through Its Director, State Health Training Centre Bijali Office Chouak Kalibadi Raipur District Raipur (Chhattisgarh)
3. The Collector, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Hemant Kesharwani, Advocate
For Respondent-State	:	Mr. Raj Kumar Gupta, Dy. Advocate General

Hon'ble Shri Manindra Mohan Shrivastava, J.**Order on Board****14/09/2016**

Heard.

1. Petitioner has filed this petition against the memo dated 08/08/2016 by which, Executive Director, State Health Resource Centre has recommended the Chief Medical and Health Officer to dispense with services of the petitioner on the ground that a criminal case has been registered against her.
2. Learned counsel for the petitioner submits that only on the ground of registration of criminal case, services of the petitioner could not be dispensed with and if there is any complaint made, the same is required to be examined as per provision contained in circular (Annexure P-4) relating to disposal of complaint against the Mitamin.

3. There is no order of appointment of the petitioner. It is not demonstrated that the petitioner is employee of any regular State cadre post. It appears to be engagement under the scheme of National Rural Health Mission. Whether or not registration of criminal case by itself should be made a basis to discontinue to Mitani is required to be considered as per circular. The memo dated 08/08/2016 shows that there is an allegation of the petitioner indulging in *Marpeet* in the hospital. The Chief Medical and Health Officer shall examine entire matter and pass appropriate orders in the matter.

4. With the said direction, the petition stands finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge